

Patent Application No. 09/993,670

Attorney Docket No. 19111.0053

**REMARKS/ARGUMENTS****RECEIVED  
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In response to the Office Action dated January 23, 2008, claims 1, 3-7, 10, 11, 13-17, 20, 21, 23-27, and 30 were rejected under 35 U.S.C. §1033(a) as being unpatentable over Reed (U.S. Patent No. 6,263,209) in view of Souissi et al. (U.S. Patent No. 6,091,959). Claims 1, 3, 11, 13, 21 and 23 have been amended and no new matter has been added. Claims 1, 3-7, 10, 11, 13-17, 20, 21, 23-27 and 30 are now pending in this application.

**35 U.S.C. §103(a)**

The applicant respectfully submits that the present invention according to claims 1, 3-7, 10, 11, 13-17, 20, 21, 23-27, and 30 are not unpatentable over Reed in view of Souissi. Reed discloses a wireless communication system capable of determining a current location and time of a user and, and, if the location and/or time matches a stored location and/or time, an alert is transmitted to the user. If there is no match, a predetermined amount of time is allowed elapse before the system performs another comparison of the location and/or time of the user and the stored location and/or time. In particular, Reed discloses that portable subscriber units carried by users conduct communications with the fixed portions of the wireless communication system, the communications including attribute information. The attributes of the portable subscriber units are recorded and stored. A determination is made by a portable subscriber unit in cooperation with the fixed portion, of the current time of day and the current location of the portable subscriber unit, through well-known techniques, such as GPS techniques or transmitter identification codes. Then a comparison is made by the portable subscriber unit between the

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attribute, the current time of day, and the current position of the user to determine whether an alert is necessary. If the alert is found to be necessary, the portable subscriber unit then generates the alert. If not, the portable subscriber unit waits for a predetermined time, and then returns to make another comparison.

In contrast, claims 1, 11 and 21 now recite, inter alia, calculating an event time and waiting until the event time has elapsed before repeating steps a) - c), wherein the calculation of the event time is based on the selected mobile user, wherein the selection of the selected mobile user is based on the selected mobile user being the least likely mobile user from among the plurality of mobile users to satisfy the condition. Reed neither discloses nor suggests the above recited limitations. Instead, Reed teaches that a mass storage device stores a user schedule database including the user's planned activities (col. 5, lines 17-20, and col. 6, lines 43-45) attribute corresponding to communication between a plurality of the portable subscriber units (col. 5, lines 20-24). The system enables a portable subscriber unit to make a determination between information stored in mass storage to the current time of day and current position of the user of the portable subscriber unit. If there is a match then an alert is issued. (col. 5, line 53-col. 6, line 4). extracts an attribute of at least one location from mass media 314 of controller 112, which stores locations, when communicating with a base station. *See Col. 5, lines 20-24 and lines 57-59.* Nowhere in the cited portions of Reed is there any disclosure of a calculation being made to generate an event time that is allowed to elapse before a check is performed to determine whether a condition requiring a plurality of users is satisfied. In fact, Reed explicitly recites that the steps of the invention are repeated after a "predetermined" amount of time. No calculation of a time interval is required to perform a function after a predetermined amount of

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time. Thus, Reed fails to teach or suggest the invention of claims 1, 11 and 21.

Souissi does not cure the deficiencies of Reed. . Souissi discloses a method and a controller relating to wireless communication systems, in which the conditions relating to a user, for example, a user's distance from the transmitter or a user's local time, are used to determine the message type sent to a user. In particular, Souissi discloses the creation of a table for use with a plurality of portable subscriber units and a transmitter. The table maps a plurality of message types onto a set locations at which the portable subscriber units may be found, and, depending upon the location of a given portable subscriber unit, sends a message determined by the table. This table may also include information relating to the local time of a given subscriber unit. Souissi fails to disclose calculating an event time and waiting until the event time has elapsed before repeating steps a) - c), wherein the calculation of the event time is based on the selected mobile user, wherein the selection of the selected mobile user is based on the selected mobile user being the least likely mobile user from among the plurality of mobile users to satisfy the condition. Souissi explicitly discloses performing activities after a predetermined time period. As discussed above with respect to Reed, there is no calculation of an amount of time when activities are scheduled to occur after a predetermined period.

Therefore, the present invention, according to claim 1, as well as claims 11 and 21, which are similar to claim 1, and according to claims 3-7, 10, 13-17, 20, 23-27, and 30 which depend therefrom, is not unpatentable over Reed and Souissi alone or in combination.

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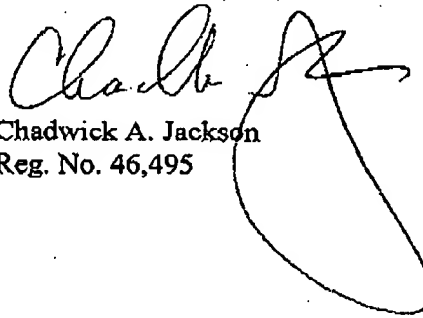
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Each of the claims now pending in this application is believed to be in condition for allowance. Accordingly, favorable reconsideration of this case and early issuance of the Notice of Allowance are respectfully requested.

**CONCLUSION**

All claims are believed to be in condition for allowance. If the Examiner believes that the present amendments and remarks still do not resolve all of the issues regarding patentability of the pending claims, Applicants invite the Examiner to contact the undersigned attorney to discuss any remaining issues. No fees are believed to be due at this time. Should any fee be required, however, please charge such fee to Hanify & King, P.C. Deposit Account No. 50-4545, Order No. 419111.0053.

Respectfully Submitted,



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